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PTO/SB/31 (04-07)
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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)
17405US04

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on April 23, 2008.

Signature

Typed or printed name

Michael T. Cruz

In re Application of

Fei Xie

Application Number

10/651,428

Filed

August 29, 2003

For METHODS OF RECORDING VOICE SIGNALS IN A MOBILE SET

Art Unit
2618

Examiner
Pan, Yuwen

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 510.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ _____

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 13-0017. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.

Registration number 44,636.

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. _____

Michael T. Cruz
Signature

Michael T. Cruz

Typed or printed name

312-775-8000

Telephone number

April 23, 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 form is submitted.

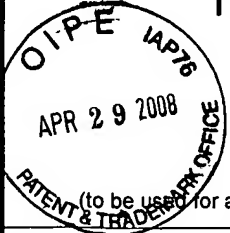
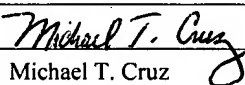
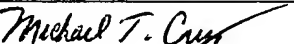
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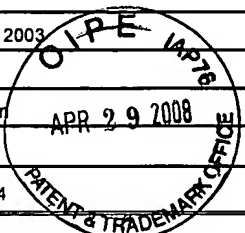
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 <p style="font-size: 1.2em; font-weight: bold; margin: 0;">TRANSMITTAL FORM</p> <p style="font-size: 0.8em; margin: 0;">(to be used for all correspondence after initial filing)</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/651,428</td> </tr> <tr> <td>Filing Date</td> <td>August 29, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Fei Xie</td> </tr> <tr> <td>Art Unit</td> <td>2618</td> </tr> <tr> <td>Examiner Name</td> <td>Pan, Yuwen</td> </tr> <tr> <td>Attorney Docket Number</td> <td>17405US04</td> </tr> </table>		Application Number	10/651,428	Filing Date	August 29, 2003	First Named Inventor	Fei Xie	Art Unit	2618	Examiner Name	Pan, Yuwen	Attorney Docket Number	17405US04
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ENCLOSURES (check all that apply)															
<input checked="" type="checkbox"/> Fee Transmittal Form (1 page, in duplicate) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD													
		<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Notice of Appeal - 1 page, in duplicate) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return-Receipt Postcard <input type="checkbox"/> Other Enclosure(s) (please identify below):													
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT															
Firm	McAndrews Held & Malloy, Ltd.														
Signature															
Printed Name	Michael T. Cruz														
Date	April 23, 2008														
CERTIFICATE OF MAILING															
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 23, 2008.															
Name (Print/type)	Michael T. Cruz	Registration No. (Attorney/Agent)	44,636												
Signature			Date April 23, 2008												

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<p><i>Effective on 09/30/2007</i> <i>Fees pursuant to the consolidated Appropriates Act. 2005 (H.R. 4818).</i></p> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2008</h3>		<p>Complete If Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td style="width: 50%;">10/651,428</td> </tr> <tr> <td>Filing Date</td> <td>August 29, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Fei Xie</td> </tr> <tr> <td>Examiner Name</td> <td>Pan, Yuwen</td> </tr> <tr> <td>Art Unit</td> <td>2618</td> </tr> <tr> <td>Attorney Docket No.</td> <td>17405US04</td> </tr> </table>		Application Number	10/651,428	Filing Date	August 29, 2003	First Named Inventor	Fei Xie	Examiner Name	Pan, Yuwen	Art Unit	2618	Attorney Docket No.	17405US04																																										
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<p>3. APPLICATION SIZE FEE</p> <p>If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Total Sheets</th> <th>Extra Sheets</th> <th>Number of each additional 50 or fraction thereof</th> <th>Fee(\$)</th> <th>Fee Paid(\$)</th> </tr> </thead> <tbody> <tr> <td>_____ -100</td> <td>_____ /50</td> <td>_____ (round up to a whole number) x</td> <td>_____ =</td> <td>_____</td> </tr> </tbody> </table>				Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee(\$)	Fee Paid(\$)	_____ -100	_____ /50	_____ (round up to a whole number) x	_____ =	_____																																												
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